

IN THE COURT OF SPECIAL JUDGE, C.B.I.

AT GREATER BOMBAY

ORDER BELOW APPLICATION EXHIBIT NO. 3

IN

MISCELLANEOUS APPLICATION NO.1610 OF 2019

IN

C.B.I. SPECIAL CASE NO. 37 OF 2018

(CNR. NO. MHCC02-006249-2018)

M/s. Cyril Amarchand Mangaldas
A partnership firm having its office
at Peninsula Chambers, Peninsula
Corporate Park, G.K.Marg, Lower
Parel, Mumbai-400 049.
through its Authorised Signatory,
Sharad Mathkar.

.. Applicant.

V E R S U S

Central Bureau of Investigation,
BSFB, vide CR.No.RC.01(E)/2018.

.. Respondent/
Complainant.

Ld. Advocate Mr. Vivek Menon a/w. Ld. Advocate Amol Jayant Phoujdar for the Applicant.

Ld. P.P. Mr. Soni h/f. Senior P.P. Mr. Limosin for C.B.I./Respondent.

**CORAM: HIS HONOUR SPECIAL JUDGE
SHRI. V.C. BARDE
(Court Room No. 50)**

DATE : 1st October, 2019.

O R D E R

1. The applicant has moved this application to clarify the order dated 30.09.2019, passed below Exhibit-153, in C.B.I. Spl. Case 37 of 2018, which was registered later on as Miscellaneous Application No.1610 of 2019, wherein this Court, in paragraph no.1 of the

operative order, ordered as under:

“1. *Application (Exhibit-153) is hereby disposed of with direction that the amount of Rs.2,12,89,035.50ps. lying in the Current Account of the applicant in the Kotak Mahindra Bank, Worli Branch, Mumbai, shall only remain as frozen by C.B.I. in the Current Account No.7111959100, in the name of M/s. Cyril Amarchand Mangaldas.*”

2. The applicant submits that the said portion of the order needs a further clarification regarding defreezing of the account except for the amount of Rs.2,12,89,035.50ps., so that the applicant-firm may operate the said Current Account with the Kotak Mahindra Bank, Worli Branch, Mumbai.

3. The learned P.P. for C.B.I. submitted that C.B.I. has filed say to the main application of the applicant mentioning at paragraph no.13 that an amount of Rs.2,12,89,035.50ps., in the Current Account No.7111959100 of applicant with Kotak Mahindra Bank, Worli Branch, Mumbai, may only be frozen, and pass appropriate orders for operation of the said account by the applicant-Firm-M/s. Cyril Amarchand Mangaldas.

4. Heard the learned Advocate for the applicant and learned P.P. for Respondent/C.B.I. Perused the record of the case.

5. In the order dated 30.09.2019, in paragraph no.1, it is mentioned that an amount of Rs.2,12,89,035.50ps., shall only be frozen from the Current Account of the applicant-firm, which C.B.I. submitted that they are concerned only with the said amount in this case. The applicant-firm wants a further clarification so that they shall operate the said account except the amount of Rs.2,12,89,035.50ps.

frozen by C.B.I., so that they can operate the said account smoothly having number of other transactions. As the amount relevant in this case is Rs.2,12,89,035.50ps. only in respect of which operative order clause-1 makes mention, it is clarified in respect of operation of the said account for other amounts by the applicant. Hence, I pass the following order.

Order

1. Application (Exhibit-3) is hereby allowed, and the following part shall be added to the operative order by way of clarification as clause-1A.
1A. The Current Account No.7111959100 of the applicant Firm-M/s. Cyril Amarchand Mangaldas in Kotak Mahindra Bank, Worli Branch, Mumbai, shall be de-frozen except to the tune of an amount of Rs.2,12,89,035.50ps., and it is hereby clarified that the applicant-firm shall use, operate and deal with the said Current Account for any amount other than Rs.2,12,89,035.50ps.

Date : 01.10.2019

(V. C. BARDE)
C.B.I. Special Judge
City Civil & Sessions Court,
Gr. Bombay.

Dictated on : 01.10.2019
Typed on : 01.10.2019
Signed by HHJ : 01.10.2019

“ CERTIFIED TO BE TRUE AND CORRECT COPY OF THE
ORIGINAL SIGNED JUDGMENT/ORDER.”

01.10.2019/4.40 p.m.
UPLOAD DATE AND TIME

Mrs. Pradnya S. Naik
NAME OF STENOGRAPHER (S.G.)

Name of the Judge (with Court Room No.)	Shri. V.C. BARDE (CR.No.50)
Date of Pronouncement of JUDGEMENT/ORDER	01.10.2019
JUDGEMENT/ORDER signed by P.O. on	01.10.2019
JUDGEMENT/ORDER uploaded on	01.10.2019